

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**UTILITY PATENT APPLICATION TRANSMITTAL
UNDER 37 CFR 1.53(b)**

| | |
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| Address to: M/S: PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Attorney Docket No. 12745/3 |
| | Inventor(s) Stephen H. ZALEWSKI; Aida McARTHUR |
| | Express Mail Label No. EV351180826US |
| | Total Pages 32 |

Title of Application:

**METHOD AND APPARATUS FOR PROTECTING DATA
AGAINST ANY CATEGORY OF DISRUPTIONS**



Transmitted with the patent application are the following:

- 2 Page(s) Transmittal form (and one copy)
- 18 Page(s) Cover Page (1); Specification (10), Claims (6), Abstract (1)
- 6 Page(s) Formal drawings
- 3 Page(s) Declaration and Power of Attorney (signed) and Title 37 - Duty to Disclose
- 2 Page(s) Recordation of Assignment and Assignment (signed) form
- 1 Page(s) Request and Certification for Non-Publication under 35 U.S.C. 122(b)(2)(B)(i)
- Page(s) Information Disclosure Statement (IDS) (copies of citations not included in number of pages)
- Page(s) Certified copy of:
- Page(s) Statement of Related Applications

This application is a **Continuation / Continuation-in-Part / Divisional of prior application Serial No.** **filed**

Fee calculation for large entity:

| | No. Filed | Allowed | No. Extra | Rate | Fee |
|---------------------------------|-----------|---------|-----------|-------------------|------------|
| Basic Fee | | | | | \$750.00 |
| Total Claims | 33 | -20 | 13 | 18.00 | 234.00 |
| Independent Claims | 3 | -3 | 0 | 84.00 | |
| Multiple Dependent Claim | | | | +\$280.00 | |
| | | | | Assignment | 40.00 |
| | | | | Total | \$1,024.00 |

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or arising during the pendency of this application per 37 CFR §1.16-1.21, or to credit any overpayments, to Deposit Account 11-0600.

Express Mail Certificate

I hereby certify that the above paper/fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated below and is addressed to the M/S: PATENT APPLICATION, P. O. Box 1450, Alexandria, VA 22313-1450

Barbara Vance
Signature _____
Barbara Vance

Date: July 8, 2003

Customer
Number:



25693

PATENT TRADEMARK OFFICE

Respectfully submitted,

Stephen T. Neal

Stephen T. Neal
(Reg. No. 47,815)
Attorney for Applicant(s)

Date: July 8, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER****35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|---|
| First Named Inventor | Stephen H. ZALEWSKI et al. |
| Title | METHOD AND APPARATUS FOR DETERMINING REPLICATION SCHEMA AGAINST LOGICAL DATA DISRUPTIONS |
| Atty. Docket Number | 12745/3 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 8, 2003



Signature

Stephen T. Neal -- (Reg. No. 47,815)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 5 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.